

Wetlands Bureau Decision Report

Decisions Taken
01/25/2010 to 01/31/2010

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-02976

HESTON, NEWTON & ANNA

GILFORD Lake Winnepesaukee

Requested Action:

Repair docking facilities consisting of a 79 ft breakwater with a 3 ft 6 in x 31 ft 8 in cantilevered pier accessed by a 5 ft 10 in x 40 ft concrete pier and a 62 ft dog-leg breakwater with a 3 ft 6 in x 31 ft 6 in cantilevered pier accessed by a 5 ft 7 in x 37 ft concrete pier and install a new 28 ft x 30 ft season canopy on 725 feet of actual frontage on Eagle Island on Lake Winnepesaukee.

APPROVE PERMIT:

Repair docking facilities consisting of a 79 ft breakwater with a 3 ft 6 in x 31 ft 8 in cantilevered pier accessed by a 5 ft 10 in x 40 ft concrete pier and a 62 ft dog-leg breakwater with a 3 ft 6 in x 31 ft 6 in cantilevered pier accessed by a 5 ft 7 in x 37 ft concrete pier and install a new 28 ft x 30 ft season canopy on 725 feet of actual frontage on Eagle Island on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 30, 2009, as received by DES on December 16, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
10. This permit does not authorize dredge for any purpose.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The project as proposed will not increase the number of slips provided on the frontage.
3. The Applicant is the sole owner of Eagle Island. The subject docking facilities provide the only access to this Island property.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) , Requirements for Application Evaluation, has been considered in the design of the project.
7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-00175 WBTSCC LP
RYE Unnamed Wetland

Requested Action:

Dredge and fill 5,364 sq. ft. of palustrine forested wetlands and impact 1,909 sq. ft. within the tidal buffer zone (total: 7,273 sq. ft. in DES Wetlands jurisdiction) to widen an existing cart path, construct a driveway to provide improved vehicular access between the maintenance facility and the golf course and create a new golf tee layout for hole #2.

Conservation Commission/Staff Comments:

No comments were received from the Rye Conservation Commission the original application or on this permit amendment request.

APPROVE AMENDMENT:

Dredge and fill 5,364 sq. ft. of palustrine forested wetlands and impact 1,909 sq. ft. within the tidal buffer zone (total: 7,273 sq. ft. in DES Wetlands jurisdiction) to widen an existing cart path, construct a driveway to provide improved vehicular access between the maintenance facility and the golf course and create a new golf tee layout for hole #2.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 1/05 (last revised 4/8/05), as received by the Department on May 19, 2005.
- 1A. All work approved under this AMENDED permit shall be in accordance with plans by MSC Civil Engineers & Land Surveyors, Inc. dated November 20, 2009 as received by the DES on November 24, 2009.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Waive Administrative Rule Wt 304.04 for the 20 foot setback to abutters properties (tax map/ lots 24/68, 24/71 and 24/72) with the finding that the proposed driveway construction will have no significant deleterious affect on these properties.

2009-00446 EATON, EMILY/JASON
NEW HAMPTON Unnamed Wetland

Requested Action:

Proposed amendment for box culvert dimension changes and temporary impacts to address planning board comments.

APPROVE AMENDMENT:

Dredge and fill 6030 sq. ft. (includes 780 sq. ft. of temporary impacts) of wetlands for installation of a 12 ft. wide x 7.5 ft. high x 25 ft. run full span open bottom box culvert (over a perennial stream tributary to Ames Brook) for construction of a common driveway to 2-lots of a proposed 4-lot residential subdivision. Work in wetlands consists of dredging and filling of adjacent wetlands for construction of the driveway approaches to the open bottom box culvert (with a minimum 4 wide natural stream bed between the proposed footing protection), construction of associated culvert wing walls, side slope stabilization, construction of temporary erosion, sedimentation and turbidity controls and temporary stream diversion controls.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc., plan sheets 1, 2, 3, 6 and 7 of 8 revised through July 27, 2009 and sheet 8 of 8 revision dated September 9, 2009, as received by DES on November 19, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on review and approval (if different than proposed on approved plans), by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
10. Any native material removed or disturbed in the streambed during installation of the open bottom box culvert shall be stockpiled separately and reused to emulate a natural channel bottom within the work area. Any new materials used to restore any impacts to the streambed shall be similar to the natural stream substrate and shall not include angular rip-rap (excluding the edges of the proposed footings as described in the approved permit description).
11. Any impacts to the streambed shall be restored to the original grades.
12. All temporary wetland impacts shall be restored in-kind.
13. A follow-up monitoring report shall be submitted with 60 days of installation of the box culvert. The report shall document the status of the wetlands restoration, natural streambed and surrounding site stabilization.
14. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction (if designed to handle high flows).
16. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
19. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
20. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
21. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

24. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
25. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
26. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
27. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

DES reaffirms findings 1 through 7.

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed open bottom box culvert will span the perennial stream channel.
6. The crossing has been sized to pass the 100-year storm frequency.
7. The applicant has provided compensatory flood storage areas for the storage lost at the wetlands crossing.

2009-02166 NH DEPT OF TRANSPORTATION
SPRINGFIELD Colcord Brook

Requested Action:

Replace three 36 in. x 31 ft. culverts with twin 38 in. x 57 in. x 40 ft. squash culverts and reconstruct headers impacting 569 sq. ft. (340 sq. ft. temporary) of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace three 36 in. x 31 ft. culverts with twin 38 in. x 57 in. x 40 ft. squash culverts and reconstruct headers impacting 569 sq. ft. (340 sq. ft. temporary) of riverine wetlands. NHDOT project #M214-15

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 7/20/09 as received by the Department on Sept. 17, 2009 and as amended per e-mail received Dec. 11, 2009.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

9. Work shall be done during low flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. No stone apron shall be installed per e-mail received Dec. 11, 2009.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of brook and bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. On Oct. 16, 2009, the DES received concerns, from the NH Fish and Game Dept. (NHFG), that the proposed stone apron may preclude fish movement.
6. On Dec. 10, 2009, DES staff met with the applicant and NHFG to discuss the concern noted above and decided to request the proposed stone be re-assessed by the designer.
7. On Dec. 11, 2009 the applicant decided they would be comfortable eliminating the proposed stone apron and the DES indicated the approval could be issued with this a permit condition.

2009-02572 NH DEPT OF TRANSPORTATION
ERROL Smokey Camp Brook

Requested Action:

Rebuild the invert of a 12 ft. x 48 ft. multi plate arch culvert with 6 inches of reinforced concrete, repair cutoff walls and line the inlet and outlet with a stone blanket to prevent erosion impacting 726 sq. ft. of riverine wetlands (296 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Rebuild the invert of a 12 ft. x 48 ft. multi plate arch culvert with 6 inches of reinforced concrete, repair cutoff walls and line the inlet and outlet with a stone blanket to prevent erosion impacting 726 sq. ft. of riverine wetlands (296 sq. ft. temporary). NHDOT project #99020Z

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 3/24/08, as received by the Department on Oct. 23, 2009.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. On Oct. 23, 2009, the DES received information from the NH Fish and Game Dept. (NHFG) relative to concerns that the project, including the stone aprons and concrete invert, may preclude fish movement.

6. On Dec. 10, 2009, DES staff met with the applicant and NHFG to discuss the concerns noted above and found that recent measurements taken of the water depth in the culvert (3 ft. deep) was more than sufficient to determine that the additional 6 in. of concrete would have no noticeable effect on fish movement.

2009-02689 UNITY, TOWN OF
UNITY Little Sugar River

Requested Action:

Dredge and fill ± 66 square feet and temporarily impact ± 906 square feet of the Little Sugar River to repair scoured Cold Pond Road Bridge abutments and construct toe wall.

APPROVE PERMIT:

Dredge and fill ± 66 square feet and temporarily impact ± 906 square feet of the Little Sugar River to repair scoured Cold Pond Road Bridge abutments and construct toe wall.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated October 2009, as received by the Department on October 29, 2009.

2. This permit is contingent upon the restoration of 906 square feet of temporary impact to the Little Sugar River bed and banks. Restoration shall be completed immediately following construction completion and restoration shall be completed to the satisfaction of the DES Wetlands Bureau.

3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to construction. Faulty equipment shall be repaired prior to construction.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
20. Post-construction photographs documenting the status of the completed project, temporary impact areas and banks utilized for access shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter less than 200 linear feet of a river or its banks.
2. The applicant has provided a waiver request per Env-Wt 204.03, to waive the certified wetland scientist stamp requirement in accordance with Env-Wt 301.01.
3. The proposed impacts are adjacent to an existing bridge within the bed and banks of the Little Sugar River. The jurisdictional boundaries of these resources are obvious.
4. The applicant has requested the waiver due to the additional time and work associated with obtaining a certified wetland scientist.
5. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
6. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
7. The agent has confirmed all work in jurisdiction will occur within the town right-of-way.
8. The agent confirmed equipment will be staged in the uplands, and therefore riverbank impacts for access are not anticipated.
9. No comments of concern were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
10. This permit is contingent upon the restoration of 906 square feet of temporary impact to the Little Sugar River bed and banks. Restoration shall be completed immediately following construction completion and restoration shall be completed to the satisfaction of the DES Wetlands Bureau.
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-02727 WRIGHT, MARY
BRISTOL Newfound Lake

Requested Action:

Construct 12 linear feet of retaining wall to close off an existing dug-in slip located under the residential, primary structure on Newfound Lake, in Bristol.

Conservation Commission/Staff Comments:

No Con Com comments by Jan 25, 2010

APPROVE PERMIT:

Construct 12 linear feet of retaining wall to close off an existing dug-in slip located under the residential, primary structure on Newfound Lake, in Bristol.

With Conditions:

1. All work shall be in accordance with plans by J. E. Belanger Land Surveying dated September 24, 2009, as received by DES on November 16, 2009.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. This permit does not allow dredging for any purpose.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Work shall be done during low water conditions.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project in September 2009. Field inspection determined proposed project would not have direct impact on the waterbody.

2010-00024 NH DEPT OF TRANSPORTATION
CARROLL Tributary To Carroll Brook

Requested Action:

Rebuild the invert of a 12 ft. x 179 ft. multi plate arch culvert with 6 inches of reinforced concrete, repair retaining wall and cutoff walls and line the inlet and outlet with a stone blanket to prevent erosion impacting 1,185 sq. ft. of riverine wetlands (1,075 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 11/24/2009 by Gino E Infascelli

APPROVE PERMIT:

Rebuild the invert of a 12 ft. x 179 ft. multi plate arch culvert with 6 inches of reinforced concrete, repair retaining wall and cutoff walls and line the inlet and outlet with a stone blanket to prevent erosion impacting 1,185 sq. ft. of riverine wetlands (1,075 sq. ft. temporary). NHDOT project #99029Z

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 11/09, as received by the Department on Jan. 4, 2010.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Material is to be placed to provide passage for aquatic organisms and any stone blanket shall be placed so as not to obstruct aquatic organisms.
17. Placement of a rock weir or similar structure downstream of the outlet is to be set with the intent of minimizing any elevation drops at the inlet and outlet so as to not cause a perched condition.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES staff inspection on November 24, 2009 found the bottom of the culvert deteriorating.
6. The applicant has committed to preventing the culvert from being in a perched condition by installing a weir or similar structure downstream of the outlet.

MINIMUM IMPACT PROJECT

2009-01934 HAMPTON, TOWN OF
HAMPTON Tidal Wetlands

Requested Action:

Impact a total of 1,914 sq. ft. in and/or adjacent to tidal wetlands (1,128 sf temporary construction impacts & 786 sf permanent impacts) for the removal of three (3) undersized culverts and the installation of a 4 ft.x30 ft.x2 ft high box culvert to provide for better tidal flow under Landing Road as a component of the restoration of the salt marsh in the environs.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission is proactive in sponsoring this project and working with NRCS & the RCCD to obtain funding for this component of the Landing Road salt marsh restoration.

Inspection Date: 05/08/2009 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 1,914 sq. ft. in and/or adjacent to tidal wetlands (1,128 sf temporary construction impacts & 786 sf permanent impacts) for the removal of three (3) undersized culverts and the installation of a 4 ft.x30 ft.x2 ft high box culvert to provide for better tidal flow under Landing Road as a component of the restoration of the salt marsh in the environs.

With Conditions:

1. All work shall be in accordance with plans by Natural Resources Conservation Service dated November 2007, as received by DES on August 20, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during periods of low tide.
7. Unconfined work within the tidal creek, exclusive of work associated with installation of a cofferdam, shall be done during periods of low tide.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff, precipitation or astronomically high tides. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed, if necessary, to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.
15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is associated with the Landing Road Salt Marsh Restoration. A grant from NRCS was obtained w/ assistance from RCCD which has shared expenses for the culvert removal & installation w/ the Town of Hampton.

2009-02062 DAMARA MASS INC
STRAFFORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,485 sq. ft. of wetlands including 1,579 sq. ft. of impact for installation of a 15" x 60.5' culvert, and 906 sq. ft. of impact for installation of a 15" x 52' culvert, for construction of roadway access for a 5-lot subdivision on 40.92 acres.

APPROVE PERMIT:

Dredge and fill a total of 2,485 sq. ft. of wetlands including 1,579 sq. ft. of impact for installation of a 15" x 60.5' culvert, and 906 sq. ft. of impact for installation of a 15" x 52' culvert, for construction of roadway access for a 5-lot subdivision on 40.92 acres.

With Conditions:

1. All work shall be in accordance with plans by Geometres Blue Hills LLC dated 8/25/2009, as received by DES on 1/11/2010.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossings are confined to the most narrow locations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Strafford Conservation Commission did not report.

2009-02240 LYDIA V SCOTT 2002 TRUST
DOVER Tidal Buffer Zone

Requested Action:

Retain construction of 31 sq. ft. of access stair footings placed below the highest observable tide line.

APPROVE AFTER THE FACT:

Retain construction of 31 sq. ft. of access stair footings placed below the highest observable tide line.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The bank of the Cocheco River at this location is essentially vertical with no other means to access the river without stairs.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The majority of the construction is in the tidal buffer zone and is exempt from permitting pursuant to Env-Wt 303.05(i), and the minimal foot of the stairs is just over the highest observable tide line into to tidal resource (above mean high tide) with only 31 sq. ft.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. NH Fish and Game Department reports that no impacts are expected to the reported New England Cottontail or the bald eagle as a result of this project. The NH Natural Heritage Bureau reports that there are no expected impacts to reported plant species as a result of this project.
5. The Dover Conservation Commission did not report.

2009-02793 FARMINGTON SCHOOL DISTRICT, MICHELLE LANGA
FARMINGTON Unnamed Wetland

Requested Action:

Impact a total of 5,150 sq. ft. of wetlands jurisdiction to perform maintenance and repair activities associated with drainage management on school grounds, including 4,650 sq. ft. of impact to maintenance dredge an existing detention pond; 370 sq. ft. of fill to install an improved side berm at the detention pond; and 220 sq. ft. of impact to install a 8' x 24" replacement culvert and regrade associated swale.

APPROVE PERMIT:

Impact a total of 5,150 sq. ft. of wetlands jurisdiction to perform maintenance and repair activities associated with drainage management on school grounds, including 4,650 sq. ft. of impact to maintenance dredge an existing detention pond; 370 sq. ft. of fill to install an improved side berm at the detention pond; and 220 sq. ft. of impact to install a 8' x 24" replacement culvert and regrade associated swale.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated November 2009, as received by DES on 11/24/2009.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredge of man-made ponds, and per Env-Wt 303.04 (f) alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project represents necessary repair to existing drainage systems.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau for the project vicinity.
5. The Farmington Conservation Commission did not report.

FORESTRY NOTIFICATION

2010-00084 MAURER, RICHARD & VICTORIA
ENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Enfield Tax Map 17, lot# 15

2010-00089 MAURER, RICHARD & VICTORIA
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 16, Lot# 7A

2010-00106 JEFFRIES, DAVID
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:
Jaffrey Tax Map/Lot# 205/14 & 212/39

2010-00107 SCHWAEGLER, BRUCE
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:

Orford Tax Map/Lot# 8-27/1 & 4, 8-29/91

2010-00115 SMITH, JAMES & MARY
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 412, Lot# 26

2010-00116 HURD, H DONALD
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 6, Lot# 440,249

2010-00117 RIEL IRREVOC TRUST 2004, LEONARD
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Pittsfield Tax Map R35, Lot# 6

2010-00118 SOUTHEAST LAND TRUST OF NEW HAMPSHIRE
KINGSTON Unnamed Stream

COMPLETE NOTIFICATION:
Kingston Tax Map 31, Lot# 1

EXPEDITED MINIMUM

2009-02352 HILL, ROBERT & KATRINA
SUNAPEE Lake Sunapee

Requested Action:

Repair sill under the west side of an existing 24 ft 2 in by 56 ft 3 in crib supported boat house with a 4 ft x 20 ft seasonal dock accessed by two 4 ft x 8 ft seasonal walkways on Lake Sunapee, Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair sill under the west side of an existing 24 ft 2 in by 56 ft 3 in crib supported boat house with a 4 ft x 20 ft seasonal dock accessed by two 4 ft x 8 ft seasonal walkways on Lake Sunapee, Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Pierre Bedard dated August 20, 2004, with seasonal dock added by others, as

received by DES on January 22, 2010.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2010-00060 GROSSMAN 1992 REVOC TRUST, MAUDE NOEL
GILFORD Lake Winnepesaukee

Requested Action:

Remove an existing 5 ft 3 in x 40 ft seasonal pier and concrete anchor pad. Construct a new 7 ft x 4 ft concrete anchor pad and install a 6 ft x 40 ft seasonal pier on an average of 200 ft of frontage on Welch Island, Lake Winnepesaukee, In Gilford.

APPROVE PERMIT:

Remove an existing 5 ft 3 in x 40 ft seasonal pier and concrete anchor pad. Construct a new 7 ft x 4 ft concrete anchor pad and install a 6 ft x 40 ft seasonal pier on an average of 200 ft of frontage on Welch Island, Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 5, 2010, as received by DES on January 14, 2010.
2. All portions of the existing docking structure and concrete pad shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. All portions on the new concrete pad shall be located landward of the shoreline as defined by Elevation 504.32.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
5. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. The seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction a a 2-slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

PERMIT BY NOTIFICATION

2010-00138 **KINNEY, THOMAS & BABETTE**
MOULTONBOROUGH **Lake Winnepesaukee**

Requested Action:

Repair "in kind" existing retaining walls.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair "in kind" existing retaining walls.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 506.01(a)(2), repair of existing retaining walls.

CSPA PERMIT

2009-02214 **WALTON, DEREK**
NELSON **Granite Lake**

Requested Action:

Impact 431 sq ft addition to an existing home for a living space, new frost wall foundation and excavate for geothermal well.

APPROVE AMENDMENT:

Impact 431 sq ft addition to an existing home for a living space, new frost wall foundation and excavate for geothermal well.

AMENDMENT DESCRIPTION: Allow an additional 775 sq ft for additional impacts for existing home, driveway, stairs, and deck.

With Conditions:

1. All work shall be in accordance with plans by Derek Walton dated September 22, 2009 and received by the Department of Environmental Services ("DES") on September 25, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 11.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 200 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,750 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an

unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-03013 MCCOY, NICOLAS
HEBRON Newfound Lake

Requested Action:

Impact 231.28 sq ft for the construction of deck to an existing home.

APPROVE PERMIT:

Impact 231.28 sq ft for the construction of deck to an existing home.

With Conditions:

1. All work shall be in accordance with plans by Mountain Mapping dated November 20, 2009 and received by the Department of Environmental Services ("DES") on December 23, 2009.
2. No more than 18.76% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,152 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,149 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-03062 NEWCOMB REALTY TRUST
ALTON Lake Winnepesaukee

Requested Action:

Impact 13106 sq ft to build a single family home with services and utilities.

APPROVE PERMIT:

Impact 13106 sq ft to build a single family home with services and utilities.

With Conditions:

1. All work shall be in accordance with plans by Geomtres Blue Hills, LLC dated December 29, 2009 and received by the Department of Environmental Services ("DES") on December 30, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 11,455 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,455 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-03063 WINCHESTER, TOWN OF
WINCHESTER Ashuelot River

Requested Action:

Impact 36,476 sq ft for the purpose of upgrading an existing waste water treatment facility.

APPROVE PERMIT:

Impact 36,476 sq ft for the purpose of upgrading an existing waste water treatment facility.

With Conditions:

1. All work shall be in accordance with plans by Tata and Howard, Inc. dated December, 2009 and received by the Department of Environmental Services ("DES") on January 4, 2010.
2. No more than 9.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-03064 FINEGAN, WILLIAM
GILFORD Lake Winnepesaukee

Requested Action:

Impact 2,416 sq ft to add on to an existing deck, install a brick walkway and driveway.

APPROVE PERMIT:

Impact 2,416 sq ft to add on to an existing deck, install a brick walkway and driveway.

With Conditions:

1. All work shall be in accordance with plans by William Finegan dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 30, 2009.
2. No more than 28.39% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
483-B:9, V, (b), (2).
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-03072 JACOBSON, DONALD & EILEEN
WAKEFIELD Balch Pond

Requested Action:

Impact 782 sq ft for the replacement of an existing timbered retaining wall and the installation of two new walls.

APPROVE PERMIT:

Impact 782 sq ft for the replacement of an existing timbered retaining wall and the installation of two new walls.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated November 20, 2009 and received by the Department of Environmental Services ("DES") on December 31, 2009.
2. No more than 15.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 6,161 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,081 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00006 LOUGEE, LINDA
CAMPTON Mad River

Requested Action:

Impact 700 sq ft to a construct a self contained 24ft x 24ft yurt located on a 240 sq ft platform.

APPROVE PERMIT:

Impact 700 sq ft to a construct a self contained 24ft x 24ft yurt located on a 240 sq ft platform.

With Conditions:

1. All work shall be in accordance with plans by Linda Lougee dated January 1, 2010 and received by the Department of Environmental Services ("DES") on January 4, 2010.
2. No more than 3.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 25,188 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00010 DONOVAN, KEVIN
WOLFEBORO Lake Wentworth

Requested Action:

Impact 57 sq. ft. for the construction of an access way to accomodate two levels of an existing dwelling.

APPROVE PERMIT:

Impact 57 sq. ft. for the construction of an access way to accomodate two levels of an existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated December 26, 2009 and received by the Department of Environmental Services ("DES") on January 19, 2010.
2. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,653 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00054 FARO, RICHARD
GILMANTON Sawyer Lake

Requested Action:

Impact 406 sq ft to expand an existing deck 12 feet toward the water.

APPROVE AMENDMENT:

Impact 406 sq ft to expand an existing deck 12 feet toward the water.

AMENDMENT DESCRIPTION: Impact 406 sq ft to expand a deck 12 feet toward reference line. Temporary impacts 210 sq ft and deck is 196 sq ft.

With Conditions:

1. All work shall be in accordance with plans by Richard Faro dated January 1, 2010 and received by the Department of Environmental Services ("DES") on January 14, 2010.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,997 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,524 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

Requested Action:

Impact 406 sq ft to expand an existing deck 12 feet toward the water.

APPROVE PERMIT:

Impact 406 sq ft to expand an existing deck 12 feet toward the water.

With Conditions:

1. All work shall be in accordance with plans by Richard Faro dated January 1, 2010 and received by the Department of Environmental Services ("DES") on January 14, 2010.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,997 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 1,524 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2009-02995 DUMESNIL JR, ALEC & SUSAN
SUCCESS Success Pond

Requested Action:

Impact 1,202 sq ft for the purpose of expanding a primary structure and installing a new septic system.

APPROVE PERMIT:

Impact 1,202 sq ft for the purpose of expanding a primary structure and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Karen L. Dickson, dated December 14, 2009 and received by the Department of Environmental Services ("DES") on December 21, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Bureau and installing the proposed septic system.
4. No more than 7.49% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 22,250 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,073 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
6. The proposed stormwater management plan shall be designed, implemented and maintained to effectively infiltrate and absorb stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Success Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The applicant has proposed to plant additional native vegetation within the waterfront buffer.

4. The applicant has proposed to install stormwater controls consisting of 1 foot deep x 2 feet infiltration trenches under the drip lines of the primary structure.

5. The applicant has proposed to design and install a new NH DES Subsurface Bureau approved wastewater treatment system.

6. The applicant has proposed to enhance the waterfront buffer with native vegetation, install stormwater controls and install a new state approved septic system and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

2009-02648

NATIONAL GRID, TIMOTHY SMITH

SALEM

COMPLETE NOTIFICATION:

Salem - Utility maintenance and repairs on an existing electrical transmission lines

FORESTRY W/PRIME WETLAND

2009-02390

BELL REVOC TRUST, CHARLES

NASHUA Unnamed Stream Muddy Brook Prime Wetland

Requested Action:

Conduct forest management activities in prime wetland buffer

COMPLETE NOTIFICATION:

Nashua Tax Map I, Lot# 15 Muddy Brook Prime Wetland

With Conditions:

1. Timber harvesting shall be for forest management and silviculture purposes ONLY and not for future conversion to subdivision or development. Such development would require the filing and receipt of a wetlands permit under the Standard Dredge and Fill

application permit process.

2. The applicant shall follow the Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire published in 2004 by the NH Dept. of Resources & Economic Development (also available online at: http://des.nh.gov/wetlands/PDF/Timber-Harvesting-bmp_manual.pdf).
3. No cutting shall be allowed closer than 25 feet from the Muddy Brook prime wetland to maintain a canopy for shade and minimize impacts to the fisheries function and value, one of several for which the wetland was designated as prime.
4. No more than 50% basal area shall be cut within the prime wetland buffer.
5. The work shall be conducted under low flow or low groundwater level conditions, or during frozen ground conditions.
6. You are avoiding wetlands and stream crossings where possible; all crossings are located to minimize impact; and all crossings qualify as "minimum impact" by DES Wetlands Bureau rules, Env-Wt 100-800 (less than 3,000 square feet). You are encouraged to use portable bridge spans where possible.
7. No rutting shall be allowed in forested wetlands, timber mats shall be used to prevent rutting. If rutting occurs these ruts shall be smoothed out before retiring from the operation.
8. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited within the prime wetland and prime wetland buffer.
9. No work shall be done during nesting and spawning season; for warm water fish this is April 1 through June 30.
10. This authorization is valid through January 26, 2012.
11. A copy of this letter and the enclosed Confirmation of Complete Forestry Notification (printed on Tyvek) shall be posted in a secure manner in a prominent place at the site of the approved project.

With Findings:

1. The prime wetland values identified in the Nashua report for designation of Muddy Brook as part of the Pennichuck Brook prime wetland under RSA 482-A:15 are wildlife, fisheries and potential educational benefits.
2. Consistent with RSA 482-A:11 IV, DES has determined there will be no significant net loss of wetland values as identified in subparagraph(b)(1)(C) and RSA 482-A:1.